IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22634 of 2004

Between:

Md. Mujimil S/o Khasim Sahab, Occ: President of the
Anjuman-e-Islamiya, Narasaraopet, r/o Panasathota, Narasaraopet, Guntur District

..... PETITIONER

AND

The Andhra Pradesh State Wakf Board, Hyderabad, rep by Chief Executive Officer,
Haj Complex,
Public Garden Road, Nampally, Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more in the nature of Writ of Mandmaus declaring the in action of respondent in not considering the representation dated 12-11-2004 regarding the extension the period of the Managing Committee of the Wakf property Anjum-e-Islamia at Narsaraopet Dist Guntur is illegal, arbitrary discriminatory in unjust and violative of Article 14 and 21 of the constitution of India and extend the period of the Managing Committee and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case

Counsel for the Petitioner:MR.M.T.GHORI

Counsel for the Respondent : MR.S.M.Subhani (SC FOR AP WAKF BOARD)

The Court at the stage of admission, made the following :

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ORDER:

The petitioner was appointed as a member of the Managing Committee of a Wakf, known as Anjuman-e-Islamiya, Narasaraopet, Guntur District, for a term of one year from
12-12-2003 to 11-12-2004. He claims to have made a representation on 12-11-2004, for extension of his term. He complains that no orders have been passed so far, by the respondent.

Heard the learned counsel for the petitioner and Mr. S.M. Subhani, learned Standing Counsel for the respondent.

The respondent is conferred with the power to constitute the Managing Committees and to appoint members thereof. The petitioner has been appointed as a member of the Wakf, referred to above, for a period of one year. The petitioner has already made a representation for extension of his term, much before it expired. The question as to whether the petitioner deserves to be continued as member, and whether such a continuance would be in the interests of the Wakf, needs to be considered by the respondent. However, a decision in this regard needs to be taken, before the existing term of the petitioner expires.

Hence, the writ petition is disposed of, directing the respondent to pass appropriate orders expeditiously, and not later than six months from today. It is further directed that, in case there are no allegations of misappropriation and mismanagement against the petitioner, he shall be continued as member, until the respondent passes an appropriate order, or a new committee is constituted, whichever is earlier. There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.08-12-2004

KO

To

1. The Chief Executive Officer, Andhra Pradesh State Wakf Board,
   Hyderabad, Haj Complex, Public Garden Road, Nampally, Hyderabad.

2. 2 C.D copies.

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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Dated 08-12-2004